

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL J. MITCHELL, ET AL. : CIVIL ACTION

V. : NO. 02-3652

POWERMATIC CORPORATION, ET AL. :

O R D E R

AND NOW, this 1st day of April, 2003, upon consideration of the motion for summary judgment of defendants Powermatic Corporation and WMH Tool Group, Inc., formerly known as Jet Equipment and Tools, Inc. (Document No. 9) and plaintiffs' response thereto, and the court finding that the plaintiffs should have an opportunity for further discovery in response to the motion, **IT IS HEREBY ORDERED** that the motion is **DISMISSED** without prejudice to the right of the defendants to refile the motion on the same papers by letter request on or after May 5, 2003 or to file a new motion for summary judgment based on new papers on or before May 15, 2003.

William H. Yohn, Jr., Judge